

BA 29/2013

PRESENT

THE HON'BLE MR JUSTICE BD AGARWAL

This application under Section 439 of the Criminal Procedure Code has been filed by the accused, Shri Tedam Ngowa praying for bail who was arrested, in connection with Khonsa PS Case No. 35 of 2008 under Sections 397 IPC read with Section 27 of the Arms Act.

Heard Mr. SK Deori, learned counsel for the petitioner and Mr. K. Tado, learned PP, Arunachal Pradesh. Also perused the trial court record.

Mr. Deori, learned counsel for the petitioner submitted that the accused was initially arrested on 12.8.2011 in another case and subsequently he was shown arrested in the present case. The learned counsel for the petitioner submitted that the bike and the mobile phone were recovered from the possession of co-accused person and not from the present petitioner.

The record reveals that the trial has not yet begun since the co-accused persons are not being produced in the trial court. At the same time., the accused has completed more than six months in the custody in the present case itself.

Considering the length of detention the bail prayer is accepted. The learned District and Sessions Judge, Tezu is directed to release the accused/ petitioner on bail of Rs. 25,000/- with two local sureties of the like amount to his satisfaction.

With the aforesaid direction the bail application stands disposed of.